

# California Department of Insurance

## Fraud Division

### July 2011 Workers' Compensation Fraud Convictions

Effective January 01, 2005, Assembly Bill 2866 (Frommer) enacted Insurance Code Section 1871.9 requiring the posting of all workers' compensation fraud convictions to the CDI website.

Per section 1871.9, the department shall post all of the following information on its Internet Web site for each person, as defined in Section 19, convicted of a violation of this article (1871.4), Section 11760 or 11880, Section 3700.5 of the Labor Code or Section 487 or 550 of the Penal Code, if the violation involved workers' compensation insurance, services or benefits:

- The name, case number, county or court and other identifying information with respect to the case.
- The full name of the defendant.
- The city and county of the defendant's last known residence or business address.
- The date of conviction.
- A description of the offense.
- The amount of money alleged to have been defrauded.
- A description of the punishment imposed, including the length of any sentence of imprisonment and the amount of any fine imposed.

The information required to be posted under this section shall be maintained on the department Web site for a period of five years from the date of conviction or until the department is notified in writing by the person that the conviction has been reversed or expunged.

**Note:** If new documentation has been received that in any way affects the conviction information contained herein, please forward that documentation with an explanation to:

Bureau Chief, Workers' Compensation Program  
9342 Tech Center Drive, Suite 100  
Sacramento, CA 95826

A determination to make any changes will be made within sixty (60) days of receipt of the information.

## **July 2011 Workers' Compensation Fraud Convictions**

**Case Number:** 2011012646

**County:** Ventura

**Defendant:** El Tapatio/Maria Velasquez, Owner

**City/County of Residence:** Oxnard/Ventura

**Conviction Date:** 07/07/11

**Offense:** 1 Count of LC 3700.5 (No Workers' Compensation Insurance)

**Amount Allegedly Defrauded:** NA

**Sentence:** 24 Months Conditional Probation, \$10,000 Criminal Fine (\$9,000 Stayed)

**Case Number:** BA382414

**County:** Los Angeles

**Defendant:** Manuel DeJesus Flores

**City/County of Residence:** Not available at this time

**Conviction Date:** 07/21/11

**Offense:** 1 Count of IC 1871.4(a)(1) (Make or Cause to be Made a Knowingly False or Fraudulent Material Statement or Material Representation for the Purpose of Obtaining Compensation)

**Amount Allegedly Defrauded:** TBD

**Sentence:** 40 Hours Community Service, 3 Years Formal Probation, \$200 Civil Fine

**Case Number:** BA383168

**County:** Los Angeles

**Defendant:** Martin Gonzalez

**City/County of Residence:** Not Available at this time

**Conviction Date:** 07/11/11

**Offense:** 1 Count of IC 1871.4(a)(1) (Make or Cause to be Made a Knowingly False or Fraudulent Material Statement or Material Representation for the Purpose of Obtaining Compensation)

**Amount Allegedly Defrauded:** \$1,000

**Sentence:** 1 Day County Jail, 3 Years Formal Probation, \$1,000 Restitution, \$200 Civil Fine, \$200 Criminal Fine

**CDI Case Number:** 10HW002574

**County:** Los Angeles

**Defendant:** Jaime Rocha Inda

**City/County of Residence:** Los Angeles/Los Angeles

**Conviction Date:** 07/21/11

**Offense:** 1 Count of PC 550(b)(1) (Failure to Disclose Material Information)

**Amount Allegedly Defrauded:** \$4,600

**Sentence:** 100 Hours Community Service, 3 Years Formal Probation, \$4,600 Restitution, \$200 Civil Fine

**CDI Case Number:** 05BW024256

**County:** Sonoma

**Defendant:** Francisco Lemus-Guzman

**City/County of Residence:** Windsor/Sonoma

**Conviction Date:** 07/27/11

**Offense:** 1 Count of IC 1871.4(a)(1) (Make or Cause to be Made a Knowingly False or Fraudulent Material Statement or Material Representation for the Purpose of Obtaining Compensation) (To Be Reduced to a Misdemeanor After One Year If No Violations Of Probation)

**Amount Allegedly Defrauded:** \$12,707.41

**Sentence:** 36 Months Formal Probation \$12,707.41 Restitution, Civil Fine Waived

**Case Number:** BA376606

**County:** Los Angeles

**Defendant:** Tina Venice Marquez

**City/County of Residence:** Not available at this time

**Conviction Date:** 07/14/11

**Offense:** 1 Count of PC 550(a)(1) (Knowingly Present Fraudulent Insurance Claim)

**Amount Allegedly Defrauded:** TBD

**Sentence:** 2 Years State Prison

**CDI Case Number:** 07BW006737

**County:** Alameda

**Defendant:** German Morales

**City/County of Residence:** Cabot (Arkansas), Lonoke County

**Conviction Date:** 07/26/11

**Offense:** 2 Counts of IC 1871.4(a)(1) (Make or Cause to be Made a Knowingly False or Fraudulent Material Statement or Material Representation for the Purpose of Obtaining Compensation); 1 Count of PC 550(b)(3) (Failure To Disclose)

**Amount Allegedly Defrauded:** \$42,756.29

**Sentence:** 5 Years Probation, \$42,756.29 Restitution

**CDI Case Number:** 09AW026942

**County:** Sutter

**Defendant:** Christie Ann Murphy

**City/County of Residence:** Gridley/Butte

**Conviction Date:** 07/01/11

**Offense:** 1 Count of PC 550(b)(3) (Failure to Disclose); 1 Count of IC 1871.4(a)(2) (False or Misleading Statement in Support of Claim)

**Amount Allegedly Defrauded:** \$36,952.25

**Sentence:** 180 Days County Jail, 5 Years Formal Probation, \$36,952.25 Restitution, \$200 Civil Fine

**CDI Case Name:** Chill Out Cafe

**CDI Case Number:** 10GW006432

**County:** Santa Cruz

**Defendant:** John Adam Pickart

**City/County of Residence:** Aptos/Santa Cruz

**Conviction Date:** 07/07/11

**Offense:** 1 Count of PC 550(b)(3) (Failure to Disclose)

**Amount Allegedly Defrauded:** TBD

**Sentence:** 12 Months Conditional Probation, \$100 Civil Fine, \$10,000 Criminal Fine (\$9,730 Stayed)

**Case Number:** BA363612  
**CDI Number:** 08JW023734  
**County:** Los Angeles  
**Defendant:** Elias Simonian  
**City/County of Residence:** Van Nuys/Los Angeles  
**Conviction Date:** 07/06/11  
**Offense:** 1 Count of PC 550(b)(1) (Failure to Disclose Material Information)  
**Amount Allegedly Defrauded:** \$53,996  
**Sentence:** 1 Day County Jail, 600 Hours Community Service, 5 Years Formal Probation, \$53,996 Restitution, \$200 Civil Fine

**CDI Case Number:** 10GW005922  
**County:** Santa Clara  
**Defendant:** Robert O Torres  
**City/County of Residence:** Sunnyvale/Santa Clara  
**Conviction Date:** 07/19/11  
**Offense:** 1 Count of IC 1871.4(a)(1) (Make or Cause to be Made a Knowingly False or Fraudulent Material Statement or Material Representation for the Purpose of Obtaining Compensation)  
**Amount Allegedly Defrauded:** \$6,881  
**Sentence:** 60 Days County Jail, 3 Years Formal Probation, \$6,881 Restitution, \$220 Civil Fine

**Case Number:** 62-105993  
**County:** Placer  
**Defendant:** Daniel Steven Vasquez  
**City/County of Residence:** Not available at this time  
**Conviction Date:** 07/28/11  
**Offense:** 1 Count of LC 3700.5 (No Workers' Compensation Insurance)  
**Amount Allegedly Defrauded:** NA  
**Sentence:** \$700 to Workers' Compensation Fund (Now Satisfied)

**CDI Case Number:** 09FW026010  
**County:** Kern  
**Defendant:** Richard Villalpondo  
**City/County of Residence:** Bakersfield/Kern  
**Conviction Date:** 07/12/11  
**Offense:** 1 Count of IC 11760 (Misrepresent Fact to Obtain Workers' Compensation)  
**Amount Allegedly Defrauded:** \$116,894.88  
**Sentence:** 2 Years County Jail, \$116,894.88 Restitution, \$240 Civil Fine